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U.S. Application No.: 09/904,447
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REMARKS

OFFICIAL

This response is filed in reply to the Office Action dated March 25, 2003. Applicant considers this response to be fully responsive to the Office Action. By the present amendment, claim 16 has been cancelled without prejudice. Claims 12-15 are pending in the application. The cancellation of claim 16 should in no way be construed to be an acquiescence to any of the rejections. The cancellation of claim is being made solely to expedite the prosecution of the above-identified application. Applicant reserves the option to further prosecute the same or similar claims in the instant or subsequent patent application.

Double Patenting Rejection of Claims 12-16

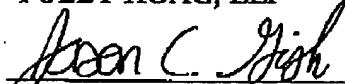
The Office Action rejected claims 12-16 under judicially created doctrine of obviousness-type double patenting as being unpatentable over the claim of U.S. Patent No. 5,388,331. Claim 16 has been cancelled rendering the moot the rejection of claim 16. Applicant submits a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c) to obviate this rejection with respect to pending claims 12-15.

Conclusion

In view of the arguments set forth above, it is respectfully submitted that this application is in condition for allowance. Accordingly, allowance is requested. If there are any remaining issues or the Examiner believes that a telephone conversation with the Applicant's attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at (617) 832-1000.

Respectfully submitted,

FOLEY HOAG, LLP

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